

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA )  
                                )  
                                )  
v.                            )       CASE NO. 2:07-cr-25-WKW  
                                )  
CLIFFORD STRONG FERGUSON )

**ORDER**

This cause is before the court on (1) a *pro se* Motion to Appoint Counsel (Doc. # 82), filed by Defendant Clifford Strong Ferguson ("Mr. Ferguson"), (2) Mr. Ferguson's *pro se* Motion for Release on Bond Pending Appeal (Doc. # 83), and (3) a Motion to Withdraw as Counsel (Doc. # 84), filed by defense counsel Susan G. James. Because Mr. Ferguson has filed a Notice of Appeal (Doc. # 59), it appears that this court may lack jurisdiction over one or more of these motions. *See Shewchun v. United States*, 797 F.2d 941, 942 (11th Cir. 1986) ("It is the general rule of this Circuit that the filing of a timely and sufficient notice of appeal acts to divest the trial court of jurisdiction over the matters at issue in the appeal, except to the extent that the trial court must act in aid of the appeal."). Accordingly, it is ORDERED that Ms. James and the United States advise the court in writing on or before **September 8, 2008**, as to whether this court has jurisdiction to rule on the foregoing motions.

Done this 25th day of August, 2008.

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/s/ W. Keith Watkins  
UNITED STATES DISTRICT JUDGE